

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 17A.4, 476.1, and 476.2, the Utilities Board (Board) gives notice that on January 21, 2010, the Board issued an order in Docket No. RMU-2009-0011, In re: Rescission of Outage Notification Requirements for Telecommunications Providers [199 IAC 22.2(8)] that rescinded the service outage notification requirements for telecommunications providers. The Board issued an order commencing rule making on November 18, 2009, proposing the rescission. Notice of Intended Action was published in IAB XXXII, Vol. 13 (12/16/09) p. 1628, as **ARC 8376B**. No comments were received addressing the proposed rescission.

The Board is rescinding the outage notification requirements for telecommunications providers based upon the Board's experience with current outage notification requirements. Based upon the Board's experience with the current outage notification rules, the Board determined that the current outage notification requirements have not provided the timely notice the Board requires when a significant outage occurs. The current standards mirror the Federal Communications Commission (FCC) notification requirements.

Rather than requiring the affected telecommunications providers to continue to notify the Board of outages based upon the FCC standards, which have not been useful, the Board decided to rescind the current requirements and conduct a comprehensive review of what outage notification requirements were needed from telecommunications providers. The Board also concluded that it would need to re-regulate wireless providers to ensure all telecommunications providers would be covered by any new outage notification requirements.

Since there were no comments objecting to the rescission of the current outage notification requirements for telecommunications providers, the Board adopted the rescission. The order adopting the amendments can be found on the Board's electronic filing system Web site at <http://efs.iowa.gov>.

The amendment is intended to implement Iowa Code sections 17A.4, 476.1, and 476.2.

The amendment will become effective on March 17, 2010.

The following amendment is adopted.

Rescind and reserve subrule **22.2(8)**.

[Filed 1/21/10, effective 3/17/10]

[Published 2/10/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/10/10.